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PATENT Customer No. 22,852 Attorney Docket No. **06502.0366** Sun Docket No. P5218NP

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| in re Application of: | ;                           |                     |      |
|-----------------------|-----------------------------|---------------------|------|
| Guy L. STEELE, JR     | <u>.</u>                    | Group Art Unit: 212 | 4    |
| Application No.: 10/  | 035,584                     | Examiner: Chat C. [ | Oo   |
| Filed: December 2     | 8, 2001                     |                     |      |
|                       | POINT REMAINDER DDED STATUS | Confirmation No.: 2 | 2869 |

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

## INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicant brings to the attention of the Examiner the documents on the attached listing. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final Action, Quayle action, or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement includes a certification as specified by Section 1.97(e).

Based on reasonable inquiry, no document listed in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and no document listed in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing date of this Information Disclosure Statement.

Application Serial No.: 10/035,584 Attorney Docket No.: 06502.0366

Copies of the listed foreign and non-patent literature documents are attached.

Copies of the U.S. patent publications are not enclosed. Applicant respectfully requests

that the Examiner consider the listed documents and indicate that they were considered by

making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better

art exists and does not constitute an admission that each or all of the listed documents are

material or constitute "prior art." If the Examiner applies any of the documents as prior art

against any claims in the application and \applicant determines that the cited documents do

not constitute "prior art" under United States law, Applicant reserves the right to present to

the Office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the

patentability of the disclosed invention over the listed documents, should one or more of the

documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge

the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,

GARRETT & DUNNER, L.L.P.

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Dated: December 23, 2004

By: **D** Kent Stier

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| PTO/SB/08: Substitute for form 1449A/PTO |   |              |                  |          | Complete if Known      |                    |  |  |
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| <b>∕</b> ⊘\                              | . – 7   |              |                  |          | Application Number     | 10/035,584         |  |  |
|  | <u> </u>                                      | NFORMATION D | ISCLOSURE        | <b>=</b> | Filing Date            | December 28, 2001  |  |  |
|  | mont in                                       | STATEMENT BY | <b>APPLICANT</b> | Γ        | First Named Inventor   | Guy L. STEELE, JR. |  |  |
| nfC                                      | DEC 23 2004 (Use as many sheets as necessary) |              |                  | Art Unit | 2124                   |                    |  |  |
|  |   |              |                  |          | Examiner Name          | Chat C. Do         |  |  |
|  | Sheet   | 1            | of               | 1        | Attorney Docket Number | 06502.0366         |  |  |

| U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS |                  |  |  |                             |   |  |
|---|------------------|--|--|-----------------------------|---|--|
| Examiner  | Cite             | Document Number                          | Issue or<br>Publication Date<br>MM-DD-YYYY | Name of Patentee or         | Pages, Columns, Lines, Where                    |  |
| Initials  | No. <sup>1</sup> | Number-Kind Code <sup>2</sup> (if known) |  | Applicant of Cited Document | Relevant Passages or Relevant<br>Figures Appear |  |
|   |                  | 6,658,444                                | 12/02/2003                                 | Walster et al.              |   |  |
|   |                  | 6,658,443                                | 12/02/2003                                 | Walster                     |   |  |
|   |                  | 6,629,120                                | 09/30/2003                                 | Walster et al.              |   |  |
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|   |                  | 6,360,189                                | 03/19/2002                                 | Hinds et al.                |   |  |
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|   |                  |  |  |                             |   |  |

Note: Copies of the U.S. Patent Documents are not Required in IDS filed after October 21, 2004

|                      | FOREIGN PATENT DOCUMENTS |   |                                |  |  |                          |  |
|----------------------|--------------------------|---|--------------------------------|--|--|--------------------------|--|
| Examiner<br>Initials | Cite<br>No. <sup>1</sup> | Foreign Patent Document  Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> ( <i>if known</i> ) | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines,<br>Where Relevant Passages<br>or Relevant Figures<br>Appear | Translation <sup>6</sup> |  |
|                      |                          |   |                                |  |  |                          |  |
|                      |                          |   | ,                              |  |  |                          |  |
|                      |                          |   |                                |  |  |                          |  |

| NON PATENT LITERATURE DOCUMENTS  |  |                          |  |  |
|--|--|--------------------------|--|--|
| Examiner Initials No.1 Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the iter (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. |  | Translation <sup>6</sup> |  |  |
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|-----------|------------|--|
| Examiner  | Date       |  |
| Signature | Considered |  |
|           |            |  |

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.